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The President

EXECUTIVE ORDER

TRANSFERRING TO THE CONTROL AND JURISDICTION OF THE TREASURY DEPARTMENT THE REMAINING PART OF THE SITE OF THE NAVAL RESERVATION ON EDIZ HOOK, PORT ANGELES, WASHINGTON

By virtue of the authority vested in me by section 1 of the act of June 25, 1910, c. 421, 36 Stat. 847, it is ordered that the following-described tract of land on Ediz Hook Spit, Port Angeles Harbor, Washington, which tract constitutes the remaining part of the area reserved by Executive Order No. 2646 of June 27, 1917, for naval purposes, be, and it is hereby, transferred from the control and jurisdiction of the Navy Department to the control and jurisdiction of the Treasury Department for Coast Guard purposes:

All of the Navy Department Reservation on Ediz Hook Spit, Port Angeles Harbor, State of Washington, as lies between the Strait of Juan De Fuca and Port Angeles Harbor on the North and South respectively and between the Westerly boundary of the U. S. Coast Guard (Light House) Reservation (Executive Order Number 2646, June 27, 1917) on the East and the Easterly boundary of the U. S. Coast Guard (Air Station) Reservation (Executive Order Number 6594, Feb. 9, 1934) on the West, containing 8 acres more or less, and designated as "This Area Reserved for Submarine and Aviation Base"; all as shown on a tracing bearing the legend "Plat of Ediz Hook showing Proposed Reservation for Submarine and Aviation Base, Port Angeles Harbor, Washington. Surveyed May, 1917—Scale 1"=100'", which tracing is on file in the office of the Judge Advocate General of the Navy, Navy Department.

The transfer of the control and jurisdiction over the aforesaid tract of land to the Treasury Department is subject to the condition that in the event such tract shall cease to be used for Coast

Guard purposes, and upon formal notification thereof by the Treasury Department to the Navy Department, the control and jurisdiction over the said tract shall revert to the Navy Department.

FRANKLIN D ROOSEVELT
THE WHITE HOUSE,
July 27, 1940.

[No. 8498]

[F. R. Doc. 40-3143; Filed, July 29, 1940;
2:12 p. m.]

Rules, Regulations, Orders

TITLE 6—AGRICULTURAL CREDIT CHAPTER II—COMMODITY CREDIT CORPORATION

[1939-40 C. C. C. Cotton Form 1—
Instructions]

PART 210—1939-40 COTTON LOANS

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§ 210.1 *Definitions.* As used in these instructions, unless the context otherwise requires, the following terms will be construed respectively to mean:

(a) *Eligible producer.* Any person, partnership, association, or corporation producing cotton in 1939 in his capacity of landowner, landlord, tenant, or sharecropper. (If a share tenant or sharecropper has an interest jointly with a landlord, cash tenant, or standing rent tenant, in cotton produced on a

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farm, such cotton may be placed under the loan in the name of the landlord, cash tenant, or standing rent tenant. In such case the landlord, cash tenant, or standing rent tenant agrees, upon signing the "Producer's Note and Loan Agreement" (C.C.C. Cotton Form A (1939-40)), that the share tenants and sharecroppers will receive their pro rata shares of the proceeds of the loan and



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any additional proceeds from the cotton. If the cotton produced on a farm has been or may be divided among the producers on the farm, the landlord, tenants, and share croppers may each obtain a loan on his separate share, or two or more such producers may obtain a loan jointly.)

(b) *Cooperator.* Any producer who has not knowingly planted, or caused or permitted the planting of cotton in 1939 on any farm in excess of the cotton-acreage allotment established for the farm in connection with farm-marketing quotas for cotton for the 1939-40 marketing year. All other producers are noncooperators.

(c) *Eligible cotton.* Cotton produced in 1939 by a cooperator, of grade and staple as specified in section 3 hereof, the beneficial title to which is and always has been in the producer. That portion of the cotton produced in 1939 by a non-cooperator, meeting the requirements specified above, which is in excess of his share of the normal or actual production, whichever is the greater, of the farm cotton acreage allotment. Cotton received in payment of standing or fixed rent is not eligible cotton.

(d) *Lending agency.* Any bank, corporation, partnership, association, or person lending money to producers on 1939-40 C.C.C. Cotton Form A in accordance with these instructions. (A loan agency of the Reconstruction Finance Corporation is not included within this definition.)

(e) *Eligible paper.* Notes of producers with loan agreements upon 1939-40 C.C.C. Cotton Form A or any form hereafter approved by Commodity Credit Corporation dated subsequent to November 1, 1939, and prior to May 1, 1940, and executed in accordance with these instructions with State documentary reve-

nue stamps affixed thereto where required by law. (Notes executed by an administrator, executor, or trustee will be acceptable only where valid in law, and all such notes must be submitted for direct loans in accordance with section 11 hereof unless accompanied by a repurchase agreement of the lending agency. Copies of this agreement may be obtained from the loan agencies of Reconstruction Finance Corporation.)

§ 210.2 *Forms.* The following documents must be delivered in connection with every loan made or note purchased by Commodity Credit Corporation:

(a) Note of Producer (1939-40 C.C.C. Cotton Form A).

(b) Loan Agreement (1939-40 C.C.C. Cotton Form A).

(c) Warehouse receipts complying with the provisions of section 8 hereof issued by an approved warehouse.

(d) Producer's Letter of Transmittal (1939-40 C.C.C. Cotton Form B) or

Lending Agency's Letter of Transmittal (1939-40 C.C.C. Cotton Form C).

§ 210.3 *Amount.* The loan rate for middling, white, seven-eighths inch cotton applicable at each approved warehouse will be shown on the "Schedule of Approved Warehouses" issued by Commodity Credit Corporation and available at the loan agencies of the Reconstruction Finance Corporation. Premiums and discounts applicable to grades above and below middling, white, seven-eighths inch, are shown in the table below. Loans will not be made on grades of cotton not shown in the table below. Loans to cooperators will be made at the rates shown in the "Schedule of Approved Warehouses" for middling, white, seven-eighths inch cotton, with the appropriate premium or discount for other grades and staples and loans to noncooperators will be made on the basis of 60 percent of such rates. All loans will be made on the net weight of the lint cotton.

Grade	Premiums and discounts applicable for all growths of American upland cotton except irrigated cotton							
	Length of staple							
	3/4" and 1 1/8"	7/8" and 2 3/4"	1 1/8" and 3 3/4"	1" and 1 1/2"	1 1/8" and 1 3/4"	1 3/8" and 1 1/2"	1 1/8" and 1 3/4"	1 3/4" and longer
White and extra white:								
Good middling and better.....	50 off	40 on	65 on	90 on	120 on	240 on	350 on	575 on
Strict middling.....	60 off	30 on	55 on	75 on	110 on	215 on	325 on	550 on
Middling.....	85 off	Basis	25 on	45 on	75 on	165 on	275 on	475 on
Strict low middling.....	150 off	60 off	35 off	20 off	10 on	90 on	125 on	200 on
Low Middling.....	235 off	135 off	115 off	105 off	100 off	40 off	40 off	40 off
Spotted:								
Good middling.....	85 off	10 on	35 on	50 on	80 on	160 on	235 on	405 on
Strict middling.....	100 off	5 off	20 on	40 on	70 on	145 on	225 on	395 on
Middling.....	165 off	65 off	45 off	30 off	55 off	75 on	105 on	185 on
Tinged:								
Good middling.....	150 off	50 off	35 off	20 off	Even	55 on	80 on	120 on
Strict middling.....	178 off	70 off	55 off	45 off	25 off	25 on	35 on	55 on
Yellow stained:								
Good middling.....	220 off	120 off	100 off	90 off	80 off	40 off	30 off	30 off
Gray:								
Good middling.....	160 off	60 off	45 off	35 off	5 off	50 on	85 on	120 on
Strict middling.....	180 off	80 off	65 off	55 off	25 off	10 on	15 on	25 on

Grade	Premiums and discounts applicable to irrigated cotton grown in western Texas, New Mexico, Arizona, and California							
	Length of staple							
	7/8" and 2 3/4"	1 1/8" and 3 3/4"	1" and 1 1/2"	1 1/8" and 1 3/4"	1 3/8" and 1 1/2"	1 1/8" and 1 3/4"	1 3/4" and longer	
White and extra white:								
Good middling and better.....	30 on	45 on	55 on	85 on	105 on	110 on	200 on	
Strict middling.....	25 on	40 on	50 on	80 on	100 on	105 on	185 on	
Middling.....	15 on	25 on	25 on	55 on	75 on	80 on	160 on	
Strict low middling.....	100 off	95 off	75 off	50 off	30 off	25 off	Even	
Low Middling.....	200 off	195 off	175 off	155 off	135 off	130 off	130 off	
Spotted:								
Good middling.....	30 off	25 off	5 off	25 on	45 on	50 on	130 on	
Strict middling.....	50 off	45 off	25 off	5 on	25 on	30 on	75 on	
Middling.....	120 off	115 off	95 off	75 off	55 off	50 off	30 off	
Tinged:								
Good middling.....	140 off	135 off	125 off	120 off	100 off	90 off	70 off	
Strict middling.....	160 off	155 off	145 off	140 off	120 off	110 off	90 off	
Yellow stained:								
Good middling.....	210 off	195 off	195 off	190 off	170 off	160 off	160 off	
Gray:								
Good middling.....	130 off	125 off	120 off	110 off	90 off	80 off	60 off	
Strict middling.....	155 off	150 off	145 off	125 off	115 off	105 off	85 off	

§ 210.4 *Classification of cotton.* All cotton must be classified by a board of cotton examiners of the United States Department of Agriculture. Warehousemen should forward samples to the board of cotton examiners serving the district

in which the warehouse is located and a list showing the class of the cotton will be returned by said board. Instructions have been issued to approved warehouses concerning sampling and forwarding of samples and recording the class of the cotton in the loan agreement. A Form 1 classification memorandum of the United States Department of Agriculture, or a Form A-2 classification memorandum of the United States Department of Agriculture, issued to the Farm Security Administration, will be accepted as evidence of the class of cotton.

Where a Form 1 classification memorandum is used the warehouse receipt must bear the following inscription over the signature of the warehouseman:

The bale of cotton represented by this warehouse receipt bears Gin Tag No. -----

A charge of 15 cents per bale will be made for classing the cotton. The boards of cotton examiners will make collections for classing charges from the warehousemen at the end of each month. Certified check, cashier's check or postal money order payable to Commodity Credit Corporation must be sent to the board of cotton examiners by the warehouseman in payment of these charges. The warehousemen should collect this charge from the producer.

§ 210.5 *Preparation of documents.* A producer desiring a loan upon eligible cotton may obtain the necessary forms from any county agricultural conservation committee in the cotton-producing areas, also from the loan agencies of the Reconstruction Finance Corporation listed in section 15 of these instructions. Such forms may also be obtained from Commodity Credit Corporation, Washington, D. C. The forms are identified and no reprints or substitutes may be used.

All blanks in both the note and loan agreement must be filled in with ink, indelible pencil, or typewriter in the manner indicated therein, and no documents containing additions, alterations, or erasures will be accepted by Commodity Credit Corporation. Only the white copy of the note and loan agreement marked *original* is to be executed; the colored copy marked *duplicate* is to be retained by the producer.

§ 210.6 *Determination of cooperators or noncooperators.* As evidence that the producer is a cooperator, Commodity Credit Corporation will accept the certificate of the payee named in the note as provided in the "Payee's Certificate" appearing on the reverse side of the note. Where notes are signed jointly by two or more producers, the serial numbers of Form(s) Cotton 311 for all signatories to the note must be shown in the "Payee's Certificate." If such certificate is not signed by the original payee the applicable certificate of the county agricultural conservation committee appearing in section 10 of the loan agreement must be completed. The certificate of the county agricultural conservation com-

mittee must be completed on all notes tendered for direct loans by Commodity Credit Corporation pursuant to section 12 hereof.

§ 210.7 *Warehouses.* Commodity Credit Corporation will accept only insured warehouse receipts covering cotton pledged as collateral to notes on 1939-40 C.C.C. Form A issued by any warehouse approved by Commodity Credit Corporation. Warehousemen are advised to communicate with the loan agency of the Reconstruction Finance Corporation serving the district in which such warehouses are located, concerning approval. When warehouses are approved, notification will be given either by letter or published lists. All cotton pledged as security for a note must be in the same warehouse.

The warehouseman is required, as provided in the certificate and waiver in section 1 of the loan agreement, to draw representative samples from the bales and to deliver or forward such samples to a board of cotton examiners for classing, except where a Form 1 classification memorandum of the United States Department of Agriculture is used.

Since the loan will be made on net weight it will be necessary for the warehouseman to determine the amount of tare on each bale and to show the tare in the schedule of warehouse receipts in section 1 of the loan agreement. Instructions will be issued to the warehousemen for their guidance in determining tare.

§ 210.8 *Warehouse receipts.* Only negotiable insured warehouse receipts dated on or prior to the date of the producer's note and properly assigned by an endorsement in blank so as to vest title in the holders or issued to bearer, will be acceptable. They must set out in their written or printed terms a description by tag number and weight of the bale represented thereby, and all other facts and statements required to be stated in the written or printed terms of a warehouse receipt under the provisions of section 2 of the Uniform Warehouse Receipts Act. Warehouse receipts issued prior to August 1, 1939, which by their terms will expire prior to August 1, 1940, must bear endorsement of the warehouse extending the terms of the warehouse receipt for a period of 1 year from August 1, 1939. Block warehouse receipts will not be accepted.

§ 210.9 *Warehouse charges.* The warehouseman's charges are limited and his obligation defined by the form of warehouseman's certificate and waiver provided in section 1 of the loan agreement. This should be read carefully and must be executed by the warehouseman issuing the cotton warehouse receipts pledged as collateral to the producer's note.

§ 210.10 *Liens.* All cotton tendered to Commodity Credit Corporation must be free and clear of all liens except in favor of the lienholders listed in the space provided therefor in the loan agreement.

The names of the holders of all existing liens on the pledged cotton such as landlords, laborers, or mortgagees (but not warehouseman), must be listed in the space provided therefor in section 2 of the loan agreement. If the borrower is a tenant the landlord must sign the lien waiver whether or not he claims lien, unless the note is signed jointly by the landlord and tenant. A misrepresentation as to prior liens, or otherwise, will render the producer personally liable under the terms of the Loan Agreement (1939-40 C.C.C. Cotton Form A) and subject to criminal prosecution under the provisions of section 35 of the Criminal Code of the United States (18 U. S. C. A. 80). The waiver and consent to the pledge of the cotton and the payment of the proceeds of the loan and the proceeds of the sale of the cotton solely to the producer, as contained in section 2 of the loan agreement, must be signed personally by all lienholders listed or by their agents; or, if corporations, by the designated officer thereof customarily authorized to execute such instruments, in which case the duly executed authority need not be attached. Notes in which the waiver and consent to pledge, as contained in section 2 of the loan agreement, are not signed by all prior lienholders listed by producers, will not be acceptable to Commodity Credit Corporation. The producer may direct in the Letter of Transmittal (1939-40 C.C.C. Cotton Form B) that the proceeds check for a direct loan from Commodity Credit Corporation be made payable to him and/or such other person or concern as he may direct thereon.

§ 210.11 *Direct loans.* It is contemplated that producers will ordinarily obtain loans from a local bank or other lending agency which, in turn, may sell the paper evidencing such loans to Commodity Credit Corporation. Arrangements, however, have been made for making direct loans to producers prior to May 1, 1940. In such cases the note must be made payable to Commodity Credit Corporation and must be tendered to the loan agency of the Reconstruction Finance Corporation serving the district in which the cotton is stored on a Producer's Letter of Transmittal (1939-40 C.C.C. Cotton Form B) in duplicate, postmarked not later than midnight of April 30, 1940, if tendered by mail. Upon delivery of all necessary documents properly executed and upon approval, payment will be made in accordance with the directions of the producer contained in said 1939-40 C.C.C. Cotton Form B.

§ 210.12 *Time and manner of loans and purchase.* Commodity Credit Corporation will purchase eligible paper, as defined above, only from lending agencies which have executed and delivered prior to May 1, 1940, to the loan agency to which notes are submitted Contract to Purchase (1939-40 C.C.C. Cotton Form D) obtainable only from loan agencies. Under the terms of this contract, lending agencies are required to report

on 1939-40 C.C.C. Cotton Form F all payments or collections on producers' notes held by them, and to remit promptly to Commodity Credit Corporation, Washington, D. C., an amount equivalent to 1 percent per annum interest on the principal amount collected from the date of the note to the date of payment.

Notes must be tendered on Lending Agency's Letter of Transmittal (1939-40 C.C.C. Cotton Form C) in duplicate prior to July 1, 1940, to the loan agency serving the district in which the cotton is stored as indicated in section 15 hereof. The purchase price to be paid by Commodity Credit Corporation for notes accepted will be the face amount of such notes, plus accrued interest from their respective dates to the date of payment of the purchase price at the rate of 2 percent per annum.

§ 210.13 *Lending agency.* The lending agency may endorse the notes of producers as provided in the note, 1939-40 C.C.C. Cotton Form A. Care should be exercised by the lending agency to determine the genuineness of the signatures to the note and loan agreement and that the warehouse receipts are genuine. No provision is made for any deduction from the loan proceeds as a charge for handling the loan documents. Lending agencies must complete the "Advice of Loan" slip appended to the loan agreement, detach and mail same to Commodity Credit Corporation, Washington, D. C., as loans are made to producers. All blanks in the Advice of Loan and Schedule of Repayments (1939-40 C.C.C. Cotton Form F) must be filled in with ink, indelible pencil, or typewriter.

§ 210.14 *Insurance.* Holders of notes desiring insurance coverage in addition to the insurance coverage provided by the warehousemen as specified in section 1 of the loan agreement (1939-40 C.C.C. Cotton Form A, should obtain such coverage at their own expense. In addition to the insurance provided by the warehousemen, Commodity Credit Corporation has obtained a blanket insurance policy covering any differences between the market value of the cotton and the loan value plus interest and accrued charges, in the event that the market value of the cotton at the time and place of a loss is less than the amount of the note plus interest and accrued charges. This blanket policy protects the Corporation in the event the warehouseman fails to comply with the insurance requirements of the Corporation and also covers any losses or damage to the cotton to the amount of the loan, plus interest and charges, due to flood.

The premium under this blanket policy is one and one-fifth cents per \$100 per month on the daily average balance of the outstanding loans, with respect to the insurance of warehousemen, and flood. The premium for any difference between loan value and market value is at the rate of 6 cents per \$100 per month on the actual amount of such difference, this premium to be reported and paid

only in the event that the average market value as quoted by the Bureau of Agricultural Economics of the United States Department of Agriculture, for middling seven-eighths inch cotton on the designated spot markets, is less than the loan value plus interest and accrued charges.

Banks and other lending agencies may obtain such insurance coverage as they desire through the usual channels or they may secure coverage under the blanket policy carried by Commodity Credit Corporation. Banks and other lending agencies desiring to obtain this coverage should write Commodity Credit Corporation, Washington, D. C., and appropriate instructions will be issued together with the necessary forms for reporting thereunder. Upon purchase by Commodity Credit Corporation no allowance will be made to cover the costs of insurance obtained by lending agencies.

§ 210.15 *Loan agencies of the Reconstruction Finance Corporation.* The location of the loan agencies of the Reconstruction Finance Corporation previously referred to herein and the district served by each agency are shown below:

Loan agency:	District served
Atlanta, Ga.-----	Georgia. Florida.
Birmingham, Ala.	Alabama.
Charlotte, N. C.---	Virginia. North Carolina. South Carolina.
Dallas, Tex.-----	Cities in Texas attached to Dallas and El Paso in Federal Reserve Interdistrict Collection System.
Houston, Tex.----	New Mexico. Cities in Texas attached to Houston in Federal Reserve Interdistrict Collection System.
Little Rock, Ark.	All cities in Arkansas except those attached to Memphis in Federal Reserve Interdistrict Collection System.
Los Angeles, Calif.	California. Arizona.
Memphis, Tenn.---	Illinois. Missouri. Tennessee. Cities in Arkansas and Mississippi attached to Memphis in Federal Reserve Interdistrict Collection System.
New Orleans, La.---	Louisiana. Cities in Mississippi attached to New Orleans in Federal Reserve Interdistrict Collection System.
Oklahoma City, Okla.	Oklahoma.
San Antonio, Tex.	Cities in Texas attached to San Antonio in Federal Reserve Interdistrict Collection System.

§ 210.16 *Repayments.* If the producer's note was made payable directly to Commodity Credit Corporation and he desires to obtain the return of the note and the release of the collateral upon payment, he should notify the Federal Reserve bank or branch thereof serving the district in which the cotton is stored as provided in section 15 hereof. If his note was made payable to a payee

other than Commodity Credit Corporation, the producer should notify the payee named therein. Warehouse receipts representing cotton held by Commodity Credit Corporation will be released by the Federal Reserve bank or branch thereof holding the receipts, upon the payment of the amount of the loan, the accrued interest, and proper charges. Upon written request of the producer, or the payee or the lending agency, the note and warehouse receipts will be forwarded to an approved bank to be released to the producer or his agent against payment. Where receipts are transmitted to a bank they will be sent, with a request to return them to the sender, if payment and release are not effected within 15 days. All charges and expenses of the bank are to be paid by the producer. Where notes are repaid to lending agencies prior to purchase by Commodity Credit Corporation the loan agreement should be detached and mailed to Commodity Credit Corporation, Washington, D. C., with the remittance as provided in section 12 hereof.

§ 210.17 *Partial releases.* Producers may obtain the release of a part of the cotton securing any note upon payment of the amount loaned plus interest and proper charges on the cotton to be released. Lending agencies should credit partial payments on the notes. Commodity Credit Corporation will purchase producers' notes on which partial releases have been made by lending agencies, paying therefor the amount of the loan on the cotton remaining pledged as security to the note as determined in accordance with these instructions, plus interest at the rate of 2 percent per annum on such amount. If the note is held by Commodity Credit Corporation, producers desiring to obtain a partial release of collateral should identify the cotton to be released by warehouse receipt numbers.

[SEAL] CARL B. ROBBINS,
President.

[F. R. Doc. 40-3141; Filed, July 29, 1940; 12:44 p. m.]

[1939 C.C.C. Corn Form 1—Instructions]

PART 211—1939 CORN LOANS

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211.1	Definitions.
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211.5	Farm storage.
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211.10	County agricultural conservation committees.
211.11	Preparation of documents.
211.12	Direct loans.
211.13	Purchase of loans.
211.14	Release of collateral held by Commodity Credit Corporation.

§ 211.1 *Definitions.* For the purpose of these instructions and the notes and

mortgages relating thereto, the following terms shall be construed, respectively, to mean:

(a) *Eligible producer.* (For each farm as determined by the county agricultural conservation committee in accordance with the provisions of the 1939 Agricultural Conservation Program.)

(1) For counties listed in section 2 (a) hereof (1939 commercial corn area), an eligible producer shall be any person, partnership, association, or corporation producing corn as landowner, landlord, or tenant, upon whose farm the 1939 field-corn acreage planted does not exceed the 1939 corn acreage allotment established for the farm pursuant to Title III of the Agricultural Adjustment Act of 1938, as amended.

(2) For counties listed in section 2 (b) hereof, an eligible producer shall be any person, partnership, association, or corporation producing corn as landowner, landlord, or tenant, upon whose farm the 1939 total acreage of soil-depleting crops does not exceed the 1939 total acreage allotment for soil-depleting crops established for the farm pursuant to the provisions of the 1939 Agricultural Conservation Program.

(b) *Eligible corn.* Eligible corn shall be merchantable field corn produced in 1939 in the areas listed under section 2 (a) and section 2 (b) hereof, husked and in the ear, containing not more than 20½ percent moisture and which otherwise grades No. 3 or better, as defined in the official grain standard of the United States on the basis of a representative sample taken from each crib of corn offered as collateral for a loan, provided that:

(1) The beneficial title to such corn is and always has been in the eligible producer; or

(2) Such corn was purchased in accordance with the following: An eligible producer who will operate a different farm in 1940 from that operated in 1939 may purchase corn from an eligible producer and place such corn under a loan. The number of bushels of such purchased corn which may be placed under loan by such producer shall not exceed the number of bushels of corn produced by the producer on the farm operated by him as an eligible producer in 1939.

(c) *Eligible storage* shall consist of cribs which are of such substantial and permanent construction as to afford protection against rodents, other animals, thieves, and weather, for a period of 2 years, as determined by the County Agricultural Conservation Committee. Loans on corn in farm storage will be available only for those areas listed in sections 2 (a) and 2 (b) hereof.

(d) *Lending agency.* Any bank, cooperative marketing association, or other corporation, partnership, or person, making loans in accordance with these instructions upon 1939 C.C.C. Corn Form A, secured by chattel mortgages on 1939

C.C.C. Corn Form A-1 which has executed the contract to purchase on 1939 C.C.C. Corn Form D.

(e) *Eligible paper.* For the purpose of the Contract to Purchase (1939 C.C.C. Corn Form D) eligible paper shall consist of notes of producers upon 1939 C.C.C. Corn Form A secured by chattel mortgages on 1939 C.C.C. Corn Form A-1, which have been duly filed of record and the original or a copy of which is on file in the office of the County Agricultural Conservation Association. All such chattel mortgages securing such notes must be filed of record prior to April 1, 1940. (Notes executed by an administrator, executor, or trustee will be accepted only where valid in law, unless accompanied by a repurchase agreement of the lending agency.)

§ 211.2 *Corn areas.* (a) 1939 commercial corn area:

Illinois. All counties except Jefferson, Franklin, and Williamson.

Indiana. All counties except Brown, Clark, Crawford, Floyd, Harrison, Jefferson, Monroe, Ohio, Perry, and Switzerland.

Iowa. All Counties.

Kansas. Anderson, Atchison, Brown, Coffey, Doniphan, Douglas, Franklin, Jackson, Jefferson, Jewell, Johnson, Leavenworth, Linn, Marshall, Miami, Nemaha, Norton, Osage, Phillips, Pottawatomie, Republic, Riley, Shawnee, Smith, and Washington.

Kentucky. Ballard, Carlisle, Davies, Fulton, Henderson, Hickman, Union, and Webster.

Michigan. Branch, Calhoun, Cass, Hillsdale, Jackson, Kalamazoo, Lenawee, Monroe, St. Joseph, Washtenaw, and Wayne.

Minnesota. Big Stone, Blue Earth, Brown, Carver, Chippewa, Cottonwood, Dakota, Dodge, Faribault, Fillmore, Freeborn, Goodhue, Grant, Houston, Jackson, Kandiyohi, Lac qui Parle, Le Sueur, Lincoln, Lyon, McLeod, Martin, Meeker, Mower, Murray, Nicollet, Nobles, Olmsted, Pipestone, Redwood, Renville, Rice, Rock, Scott, Sibley, Steele, Stevens, Swift, Traverse, Wabasha, Waseca, Watonwan, Winona, Wright, and Yellow Medicine.

Missouri. Adair, Andrew, Atchison, Audrain, Bates, Benton, Boone, Buchanan, Caldwell, Callaway, Cape Girardeau, Carroll, Cass, Chariton, Clark, Clay, Clinton, Cooper, Daviess, DeKalb, Dunklin, Gentry, Grundy, Harrison, Henry, Holt, Howard, Jackson, Johnson, Knox, Lafayette, Lewis, Lincoln, Linn, Livingston, Macon, Marion, Mercer, Mississippi, Moniteau, Monroe, Montgomery, New Madrid, Nodaway, Pemiscot, Perry, Pettis, Pike, Platte, Putnam, Ralls, Randolph, Ray, St. Charles, St. Clair, Saline, Schuyler, Scotland, Scott, Shelby, Stoddard, Vernon, and Worth.

Nebraska. All counties except Arthur, Banner, Blaine, Box Butte, Boyd, Brown, Cherry, Cheyenne, Dawes, Deuel, Dundee, Garden, Garfield, Grant, Holt, Hooker,

Keith, Keyapaha, Kimball, Logan, Loup, McPherson, Morrill, Rock, Scotts Bluff, Sheridan, Sioux, Thomas, and Wheeler. *Ohio.* All counties except Ashtabula, Athens, Belmont, Carroll, Columbiana, Cuyahoga, Gallia, Geauga, Guernsey, Harrison, Hocking, Jackson, Jefferson, Lake, Lawrence, Mahoning, Meigs, Monroe, Morgan, Noble, Portage, Stark, Summit, Trumbull, Tuscarawas, Vinton, and Washington.

South Dakota. Bon Homme, Brookings, Clay, Deuel, Grant, Hanson, Hutchinson, Kingsbury, Lake, Lincoln, McCook, Minnehaha, Moody, Roberts, Turner, Union, and Yankton.

Wisconsin. Columbia, Crawford, Dane, Grant, Green, Iowa, Jefferson, Lafayette, Richland, Rock, Sauk, and Walworth.

(b) *Noncommercial corn area:*

Colorado. All counties.

Illinois. Franklin, Jefferson, and Williamson.

Indiana. Brown, Clark, Crawford, Floyd, Harrison, Jefferson, Monroe, Ohio, Perry, and Switzerland.

Kansas. Allen, Barber, Barton, Bourbon, Butler, Chase, Chautauqua, Cherokee, Cheyenne, Clark, Clay, Cloud, Comanche, Cowley, Crawford, Decatur, Dickinson, Edwards, Elk, Ellis, Ellsworth, Finney, Ford, Geary, Gove, Graham, Grant, Gray, Greeley, Greenwood, Hamilton, Harper, Harvey, Haskell, Hodgeman, Kearny, Kingman, Kiowa, Labette, Lane, Lincoln, Logan, Lyon, McPherson, Marion, Meade, Mitchell, Montgomery, Morris, Morton, Neosho, Ness, Osborne, Ottawa, Pawnee, Pratt, Rawlins, Reno, Rice, Rooks, Rush, Russell, Saline, Scott, Sedgwick, Seward, Sheridan, Sherman, Stafford, Stanton, Stevens, Sumner, Thomas, Trego, Wabaunsee, Wallace, Wichita, Wilson, Woodson, and Wyandotte.

Kentucky. All counties except Ballard, Carlisle, Davies, Fulton, Henderson, Hickman, Union, and Webster.

Michigan. All counties except Branch, Calhoun, Cass, Hillsdale, Jackson, Kalamazoo, Lenawee, Monroe, St. Joseph, Washtenaw, and Wayne.

Minnesota. Aitkin, Anoka, Becker, Beltrami, Benton, Carlton, Cass, Chisago, Clay, Clearwater, Cook, Crow Wing, Douglas, Hennepin, Hubbard, Isanti, Itasca, Kanabec, Kittson, Koochiching, Lake, Lake of the Woods, Mahanomen, Marshall, Mille Lacs, Morrison, Norman, Otter Tail, Pennington, Pine, Polk, Pope, Ramsey, Red Lake, Roseau, St. Louis, Sherburne, Stearns, Todd, Wadena, Washington, and Wilkin.

Missouri. Barry, Barton, Bollinger, Butler, Camden, Carter, Cedar, Christian, Cole, Crawford, Dade, Dallas, Dent, Douglas, Franklin, Gasconade, Greene, Hickory, Howell, Iron, Jasper, Jefferson, Laclede, Lawrence, McDonald, Madison, Maries, Miller, Morgan, Newton, Oregon, Osage, Ozark, Phelps, Polk, Pulaski, Reynolds, Ripley, St. Francois, St. Louis, Ste. Genevieve, Shannon, Stone, Sullivan,

Taney, Texas, Warren, Washington, Wayne, Webster, and Wright.

Nebraska. Arthur, Banner, Blaine, Box Butte, Boyd, Brown, Cherry, Cheyenne, Dawes, Deuel, Dundy, Garden, Garfield, Grant, Holt, Hooker, Keith, Keyapaha, Kimball, Logan, Loup, McPherson, Morrill, Rock, Scotts Bluff, Sheridan, Sioux, Thomas, and Wheeler.

North Dakota. All counties.

Ohio. Ashtabula, Athens, Belmont, Carroll, Columbiana, Cuyahoga, Gallia, Geauga, Guernsey, Harrison, Hocking, Jackson, Jefferson, Lake, Lawrence, Mahoning, Meigs, Monroe, Morgan, Noble, Portage, Stark, Summitt, Trumbull, Tuscarawas, Vinton, and Washington

South Dakota. Armstrong, Aurora, Beadle, Bennett, Brown, Brule, Buffalo, Butte, Campbell, Charles Mix, Clark, Codington, Corson, Custer, Davison, Day, Dewey, Douglas, Edmunds, Fall River, Faulk, Gregory, Haakon, Hamlin, Hand, Harding, Hughes, Hyde, Jackson, Jerauld, Jones, Lawrence, Lyman, McPherson, Marshall, Meade, Mellette, Miner, Pennington, Perkins, Potter, Sanborn, Shannon, Spink, Stanley, Sully, Todd, Tripp, Walworth, Washabaugh, Washington, and Ziebach.

Wisconsin. All counties except Columbia, Crawford, Dane, Grant, Green, Iowa, Jefferson, Lafayette, Richland, Rock, Sauk, and Walworth.

Wyoming. All counties.

§ 211.3 *Amount.* Loans will be made on eligible corn to eligible producers in accordance with the following provisions:

Loans will be made at the rate of fifty-seven cents (57¢) per bushel for corn produced in the "Commercial Corn Area" (listed in section 2 (a) hereof) and at the rate of forty-three cents (43¢) per bushel for corn produced in the "Non-commercial Corn Area" (listed in section 2 (b) hereof), except that, in the case of corn classified as "Mixed Corn," the rate shall be 2 cents less per bushel. A bushel shall be determined by using not less than 2½ cubic feet of ear corn testing not more than 15½ percent in moisture content. A deduction from the number of bushels so computed will be made for moisture content in excess of 15½ percent in accordance with the following schedule.

Moisture content (percent):	Deduction (percent)
15½ to 16½-----	2
16½ to 17½-----	4
17½ to 18½-----	6
18½ to 19½-----	8
19½ to 20½-----	10
Above 20½-----	No loan

§ 211.4 *Maturity and interest rate.* Loans will be available from December 1, 1939, to March 31, 1940, inclusive, and all chattel mortgages must be filed of record within such period. All loans mature on August 1, 1940; bear interest at the rate of three percent (3%) per annum. Producers must agree to store the pledged corn until October 15, 1940.

§ 211.5 *Farm storage.* The County Agricultural Conservation Committees will

supervise the inspection of storage structures, measuring, and sealing the corn by an inspector, and will arrange for moisture testing of samples. Chattel mortgages covering the corn must be executed, and filed in accordance with the applicable State law. Producers may obtain information and assistance from the County Agricultural Conservation Committee in regard to the execution and filing of such chattel mortgages. Where the borrower is a tenant, the expiration date of the lease must be given in section 2 (c) of the chattel mortgage. If the expiration date of the lease is prior to October 15, 1940, the landlord shall execute the Consent for Storage, section 9 of the 1939 C.C.C. Corn Form A-1. The consent agreement must also be signed by any other party or parties entitled to possession of the farm prior to October 15, 1940. Each producer must agree to shell and deliver the mortgaged corn to a shipping point designated by the holder of the note which is reasonably convenient to the producer.

§ 211.6 *Execution and filing of chattel mortgages.* All chattel mortgages will be prepared in triplicate, and the original or duplicate copy shall be filed for record in accordance with the respective State laws. The receipt of the recorder, register of deeds, county clerk, auditor, or similar authorized county official, must be completed and executed on one copy of the mortgage to indicate the date of filing or recordation; such copy to be held in the office of the county association. In those instances in which chattel mortgages must be filed in both the county in which the mortgagor resides and in the county in which the corn is stored, the triplicate copy of the mortgage must be used for this purpose and an additional receipt from the county official typed or stamped on the copy of the mortgage held in the office of the county association. Except where required for filing, the triplicate copy of the mortgage with the duplicate copy of the note should be delivered to the mortgagor. In case the triplicate copy is used for filing, the mortgagor should be given a copy of the mortgage which may be completed on any one copy of the form. A separate mortgage must be completed for corn stored on each quarter section.

All documents must be carefully examined as to compliance with the following requirements:

Colorado. The mortgage must be executed and acknowledged by the mortgagor. The original or a duplicate copy thereof must be filed for record in the office of the clerk and recorder of the county in which the corn is stored.

Illinois. The mortgage must be executed and acknowledged by the mortgagor. The original mortgage must be endorsed by the mortgagee or his agent as follows: "This mortgage to be filed but not recorded," and filed for record within 10 days from the date of execution in the office of the recorder of deeds of the county in which the mortgagor resides,

or, if a nonresident of the State, in the office of the recorder of deeds of the county in which the corn is stored. Commodity Credit Corporation will not accept any note secured by mortgage filed for record later than 10 days after the date of the note and mortgage.

Indiana. The mortgage must be executed and acknowledged by the mortgagor. The original mortgage must be filed for record in the office of the recorder of the county in which the mortgagor resides, or, if a nonresident of the State, in the office of the recorder of the county in which the corn is stored.

Iowa. The mortgage must be executed and acknowledged by the mortgagor and spouse. The original or a duplicate copy must be filed for record in the office of the recorder of the county in which the mortgagor resides, or, if a nonresident of the State, in the office of the recorder of the county in which the corn is stored.

Kansas. The mortgage must be executed by the mortgagor and spouse. The original or a duplicate copy must be filed for record immediately upon the execution of the mortgage in the office of the register of deeds of the county in which the mortgagor resides, or, if a nonresident of the State, in the office of the register of deeds of the county in which the corn is stored. Commodity Credit Corporation will not accept any note secured by mortgage filed for record later than 10 days after the date of the note and mortgage.

Kentucky. The mortgage must be executed by the mortgagor either in the presence of two witnesses or it must be acknowledged before an officer qualified to take acknowledgments. The original or a duplicate copy of the mortgage must be filed for record in the office of the county clerk of the county in which the mortgagor resides, or, if the mortgagor is a nonresident of the State, it must be filed for record in the office of the county clerk of the county in which the corn is stored.

Michigan. The mortgage must be executed by the mortgagor. The mortgagor's affidavit of good faith and receipt on such mortgage must be completed by the mortgagor. The original or a duplicate copy of the mortgage must be filed for record in the office of the register of deeds of the county in which the corn is stored. If the mortgagor resides in another county within the State, the triplicate copy of the mortgage must be certified as a true copy and filed for record in the office of the register of deeds of such county.

Minnesota. The chattel mortgage must be executed by the mortgagor in the presence of two witnesses and duly acknowledged. The original chattel mortgage must be filed in the office of the register of deeds of the county in which the property is situated, unless the property is situated in cities of the first class, whereupon the chattel mortgage must be filed in the office of the clerk of the municipality where the prop-

erty is situated. A full, true, and correct copy of the chattel mortgage must be delivered to the mortgagor whose receipt therefor is contained in the body of the mortgage.

Missouri. The mortgage must be executed and acknowledged by the mortgagor. The original or a duplicate copy of the mortgage must be filed for record in the office of the recorder of deeds of the county in which the mortgagor resides, or, if a nonresident of the State, in the office of the recorder of deeds of the county in which the corn is stored.

Nebraska. The mortgage must be executed by the mortgagor. The original or a duplicate copy of the mortgage must be filed for record in the office of the county clerk of the county in which the mortgagor resides, or, if a nonresident of the State, in the office of the county clerk of the county in which the corn is stored.

North Dakota. The mortgage must be signed by the mortgagor and spouse in the presence of two witnesses who must sign the same as witnesses thereto, or must be acknowledged before some official qualified to take acknowledgments. The mortgagor's receipt for copy of mortgage must be signed by the mortgagor and spouse and attached to the mortgage and must accompany the mortgage when presented for filing and be filed therewith. The original mortgage with receipt for copy attached thereto must be filed in the office of the register of deeds in the county in which the property is situated.

Ohio. The mortgage must be executed by the mortgagor. The mortgagee's affidavit of good faith must be completed by the payee except in the case of direct loans, in which event it must be completed by a member of the county committee as agent of Commodity Credit Corporation. The original or a duplicate copy must be filed in the office of the county recorder of the county in which the mortgagor resides, or, if a nonresident of the State, in the office of the county recorder of the county in which the corn is stored.

South Dakota. The chattel mortgage must be signed by the mortgagor in the presence of two persons who must sign as witnesses thereto, or it may be acknowledged before some officer qualified by the laws of the State of South Dakota to take acknowledgments. The original chattel mortgage, or an authenticated copy thereof, must be filed in the office of the register of deeds of the county where the property mortgaged, or any part thereof, is situated. A full, true, and complete copy of the mortgage must be delivered to the mortgagor, whose receipt therefor is contained in the body of the mortgage.

Wisconsin. The chattel mortgage must be executed by the mortgagor and spouse in the presence of two witnesses. The original mortgage must be filed with the register of deeds in the county in which the property is located.

Wyoming. The mortgage must be executed and acknowledged by the mortgagor. The original or a duplicate copy must be filed for record in the office of the register of deeds in the county in which the corn is stored.

§ 211.7 Liens. The corn collateral must be free and clear of all liens except in favor of the lienholders listed in the space provided therefor in 1939 C.C.C. Corn Form A-1. The names of the holders of all existing liens on the pledged or mortgaged corn, such as landlord, laborers, or mortgagees, must be listed in the space provided therefor in the mortgage. The waiver and consent to pledge or mortgage the corn and the payment of the proceeds of the loan and the proceeds of the sale of the corn solely to the producer as contained in the mortgage or in 1939 C.C.C. Corn Form AB must be signed personally by all lienholders listed or by their agents; or, if corporations, by the designated officer thereof customarily authorized to execute such instruments. The producer may direct in the Letter of Transmittal (1939 C.C.C. Corn Form B) that the proceeds check be made payable to him and/or such other person or concern as he may direct thereon. Producers should read carefully all real estate or other mortgages previously given by them in order to be sure that crops are not covered thereby. Any fraudulent misrepresentation of fact made in the execution of the note and mortgage and related forms shall render the producer personally liable for the amount of the loan and subject to the provisions of the United States Criminal Code.

§ 211.8 Insurance. (a) All producers shall provide insurance on the corn for not less than the amount of the loan with accrued interest for one year. Such insurance shall be evidenced by a certificate substantially in the form printed at the end hereof, issued by a company or association licensed to do business in the State in which the corn is stored. The insurance coverage may be obtained through the customary channels and the form of certificate required shall be furnished by the agent writing same.

(b) **Insurance carried by Commodity Credit Corporation.** In addition to the foregoing, Commodity Credit Corporation has obtained a blanket insurance policy which covers any loss by or in consequence of damage to or destruction of the pledged or mortgaged corn arising from fire, lightning, inherent explosion, cyclone, tornado, windstorm, hail, theft, wrongful conversion, and flood. This policy covers errors and omissions and is in the nature of excess insurance. The cost of such insurance is payable to the county committee and will be included as a part of the service fee. This insurance covers all lending agencies and the equity of the producers for any loss from flood or theft.

§ 211.9 Producer responsibility. The note and mortgage govern the respon-

sibility of the producer and should be read carefully. In case the producer delivers the corn collateral in payment of his loan he shall deliver a quantity of shelled corn grading No. 3 or better corresponding to the number of bushels upon which the loan was computed. It is important that the producer place his corn in good storage structures and maintain such structures in good repair and protect the corn collateral against damage from weather, rodents, and insects. In those areas subject to insect infestation careful supervision must be maintained and infestation reported immediately to the county committee. Producers in the southernmost counties of the Commercial Corn Area must be prepared to shell, store, and fumigate their corn in tight bins when so instructed by Commodity Credit Corporation.

§ 211.10 County agricultural conservation committees. 1939 C.C.C. Corn Form A-1 provides for an approval by the county committee which should not bear a date prior to the date of the mortgage and which must be signed in each instance by a member of a county agricultural conservation committee of the county in which the corn is stored. When a producer stores corn for a loan in a county other than the county in which the corn was produced, the committee for the county where the corn is stored must secure a written certification of eligibility from the county committee where the corn was produced before certifying the loan.

§ 211.11 Preparation of documents. Loan documents will be prepared by county agricultural conservation committee. All blanks in 1939 C.C.C. Corn Forms A and A-1 must be filled in with ink, typewriter, or indelible pencil, and no documents containing additions, alterations, or erasures will be accepted by Commodity Credit Corporation.

§ 211.12 Direct loans. It is contemplated that loans will be obtained from banks and other local lending agencies, which, in turn, may sell the notes evidencing such loans to Commodity Credit Corporation. Producers may also obtain loans directly from Commodity Credit Corporation. Notes for direct loans shall be made payable to Commodity Credit Corporation and shall be delivered to the Chicago Loan Agency of the Reconstruction Finance Corporation. Paper for direct loans tendered by mail, in person, or otherwise, should be accompanied by a Producer's Letter of Transmittal on 1939 C.C.C. Corn Form B, in duplicate, and must be delivered or postmarked prior to April 1, 1940. The triplicate copy of this letter shall be retained by the producer as a memorandum. Upon delivery of all necessary documents properly executed and upon approval of the loan by the manager of the Loan Agency, payment shall be made pursuant to the Letter of Transmittal.

§ 211.13 Purchase of loans. Commodity Credit Corporation will purchase,

without recourse, eligible paper, as defined above, only from lending agencies which have executed and delivered to the Chicago Loan Agency of Reconstruction Finance Corporation Contract to Purchase, 1939 C.C.C. Corn Form D, obtainable only from that agency. Notes held by lending agencies must be tendered to the Chicago Loan Agency of Reconstruction Finance Corporation prior to July 1, 1940. The purchase price to be paid by Commodity Credit Corporation for notes accepted will be the face amount of such notes plus accrued interest from the respective dates to the date of payment of the purchase price at the rate of $1\frac{1}{2}$ percent per annum. Under the terms of the Contract to Purchase, lending agencies are required to report monthly on 1939 C.C.C. Corn Form E all payments or collections on producer's notes held by them, and to remit promptly to Commodity Credit Corporation, Washington, D. C., an amount equivalent to one and one-half percent ($1\frac{1}{2}\%$) interest per annum on the principal amount collected from the date of the note to the date of payment.

§ 211.14 Release of collateral held by Commodity Credit Corporation. A producer may obtain the return of notes secured by corn upon his request in writing and payment of the principal amount due thereon with accrued interest and proper charges. The producer's note will be transmitted to an approved bank with instructions to deliver such note to the producer, or his agent, upon the payment of the full amount due thereon with accrued interest and proper charges. Where such note is sent to an approved bank for collection instructions shall be given to return the note to the sender if payment and release are not effected within 15 days. All charges and expenses of the collecting bank shall be paid by the producer. County agricultural conservation committees will be requested to release the mortgage of record after payment in full either by the filing of an instrument of release or by a margin release on the county records. Partial release of collateral will not be permitted.

If the producer's note is made payable directly to Commodity Credit Corporation and he desires to obtain the release of collateral upon payment, as aforesaid, he should notify the Chicago Loan Agency of Reconstruction Finance Corporation. If his note was made payable to a payee other than Commodity Credit Corporation, the producer should notify the payee named therein.

[SEAL]

CARL B. ROBBINS,
President.CERTIFICATE OF INSURANCE—CORN IN FARM
STORAGECertificate No. -----
Agency at -----Amount \$-----
Premium -----
Term -----

1. This certifies that in consideration of ----- dollars premium (subject to all the terms and conditions of Open Policy

No. ----- Issued by this company or asso-
ciation) ----- does
(Company or association)insure -----
against all direct loss or damage by fire,
lightning, windstorm, cyclone, tornado, and
hail * in the sum of ----- dollars on
----- bushels of corn stored and sealed in
the possession of the assured in structure(s)
situated on the ----- quarter of
section ----- township -----, range
-----, county of -----, State
of -----, for the term of one (1) year
from the ----- day of -----, 19-----, at
12 o'clock noon, to the ----- day of -----,
19-----, at 12 o'clock noon, said structure(s)
having been inspected and sealed in accordance
with regulations issued by the Secretary
of Agriculture pursuant to the Agricultural
Adjustment Act of 1938, as amended.2. Any loss which may be ascertained and
proved to be due the insured under this
contract shall be payable to the insured
and/or the holder of note secured by such
corn as their respective interests may appear.Special (Corn) Endorsement Providing the
Basis of Adjustment in Case of Loss on Corn
Mortgaged under Loan Program of Com-
modity Credit Corporation3. All or any part of the corn described
herein having been mortgaged as security for
a loan on any form approved by Commodity
Credit Corporation, it is a condition of this
insurance that in event of loss or damage to
any of such mortgaged corn the basis of ad-
justment shall be the actual cash market
value at the time and place of the loss, ex-
cept that if such actual cash market value
is less than the loan value per bushel, plus
accrued interest at three percent (3%) per
annum, then such actual cash market value
shall be disregarded and the value of any corn
so mortgaged shall be deemed to be the loan
value per bushel plus accrued interest thereon.
In the event all or any portion of such
corn grades No. 3 or better, such corn may
be resealed as collateral in suitable farm
storage structures or transferred to an ap-
proved warehouse for storage. No loss will
be claimed on such corn by the insured, pro-
vided delivery of the corn is made at the
designated delivery point and settlement is
made with the insured for storage charges
until maturity date of the note at the rate
of one cent (1¢) per bushel per month or
part thereof.4. The provisions of section 3 hereof shall
attach and apply only so long as the note
secured by the corn described herein is out-
standing.5. In witness whereof, this company or
association has executed and attested these
presents, but this certificate shall not be valid
until countersigned by a duly authorized
agent of this company or association.-----
President.-----
Secretary.

Countersigned:

This ----- day of -----, 19-----

(Agent)

*Optional.

[F. R. Doc. 40-3142; Filed, July 29, 1940;
12:45 p. m.]

TITLE 7—AGRICULTURE

CHAPTER VII—AGRICULTURAL AD-
JUSTMENT ADMINISTRATIONPART 728—1940 COUNTY WHEAT ACREAGE
ALLOTMENTS§ 728.103 County wheat acreage al-
lotments for 1940. Pursuant to the au-
thority vested in the Secretary of Agri-
culture under Section 334, paragraph(b), Part III, Subtitle B, of Title III,
of the Agricultural Adjustment Act of
1938, as amended, the State acreage al-
lotments of wheat for 1940, as established
by the proclamation dated June 10, 1939,¹
are hereby apportioned among the coun-
ties in such States as follows:County and Wheat Acreage Allotment
in AcresAlabama. Jackson, 120; Lauderdale,
768; Limestone, 341; Madison, 857; Mor-
gan, 427; Reserve and Others, 2,768.Arizona. Apache, 633; Cochise, 465;
Coconino, 989; Gila, 18; Graham, 1,321;
Greenlee, 217; Maricopa, 24,615; Mohave,
55; Navajo, 228; Pima, 597; Pinal, 3,658;
Santa Cruz, 55; Yavapai, 208; Yuma,
2,475.Arkansas. Arkansas, 454; Baxter,
1,139; Benton, 9,300; Boone, 4,338; Car-
roll, 4,890; Clay, 5,763; Cleburne, 97;
Craighead, 2,266; Crawford, 56; Critten-
den, 194; Cross, 29; Franklin, 448; Ful-
ton, 1,340; Garland, 197; Greene, 1,859;
Hempstead, 42; Hot Spring, 132; Inde-
pendence, 2,941; Izard, 635; Jackson,
1,859; Johnson, 51; Lawrence, 250;
Logan, 1,086; Lonoke, 60; Madison,
2,877; Marion, 1,852; Mississippi, 34;
Montgomery, 814; Newton, 1,088; Phil-
lips, 36; Poinsett, 421; Polk, 475; Pope,
55; Prairie, 63; Pulaski, 214; Randolph,
1,307; St. Francis, 255; Saline, 75; Scott,
3; Searcy, 2,622; Sebastian, 85; Sharp,
258; Stone, 1,009; Van Buren, 63; Wash-
ington, 12,218; White, 13; Woodruff, 36;
Yell, 235; Reserve and Others, 1,851.California. Alameda, 2,750; Amador,
575; Butte, 27,374; Calaveras, 152;
Colusa, 10,767; Contra Costa, 5,294;
Fresno, 35,466; Glenn, 16,444; Humboldt,
92; Imperial, 12,650; Inyo, 189; Kern,
36,483; Kings, 44,200; Lake, 1,414; Lassen,
7,129; Los Angeles, 18,027; Madera,
28,905; Marin, 450; Mendocino, 2,300;
Merced, 12,500; Modoc, 7,132; Monterey,
22,500; Napa, 3,100; Orange, 675; Placer,
15,350; Plumas, 675; Riverside, 18,600;
Sacramento, 37,008; San Benito, 5,430;
San Bernardino, 900; San Diego, 1,450;
San Joaquin, 32,927; San Luis Obispo,
89,600; Santa Barbara, 8,466; Santa
Clara, 800; Shasta, 5,700; Sierra, 230;
Siskiyou, 14,269; Solano, 19,300; Sonoma,
1,100; Stanislaus, 16,587; Sutter, 40,671;
Tehama, 7,445; Trinity, 325; Tulare,
56,100; Tuolumne, 325; Ventura, 1,400;
Yolo, 15,420; Yuba, 9,050; Reserve, 3,058.Colorado. Adams, 99,966; Alamosa,
3,965; Arapahoe, 50,493; Archuleta, 2,112;
Baca, 100,359; Bent, 5,796; Boulder,
24,030; Chaffee, 1,124; Cheyenne, 11,302;
Conejos, 6,152; Costilla, 3,744; Crowley,
492; Custer, 1,128; Delta, 5,073; Dolores,
4,664; Douglas, 12,515; Eagle, 1,524; El-
bert, 33,081; El Paso, 7,047; Fremont,
791; Garfield, 6,743; Gilpin, 15; Grand,
221; Gunnison, 136; Huerfano, 2,295;
Jackson, 3; Jefferson, 16,819; Kiowa,
8,311; Kit Carson, 64,895; La Plata,
13,302; Larimer, 32,762; Las Animas,
5,210; Lincoln, 48,929; Logan, 138,192;¹ 4 F.R. 2377.

Mesa, 4,560; Moffat, 9,322; Montezuma, 10,222; Montrose, 11,577; Morgan, 41,846; Otero, 2,623; Ouray, 1,298; Park, 23; Phillips, 125,681; Pitkin, 570; Prowers, 30,978; Pueblo, 10,393; Rio Blanca, 3,911; Rio Grande, 9,003; Routt, 11,260; Sanguache, 3,194; San Miguel, 1,165; Sedgwick, 65,128; Summit, 49; Teller, 62; Washington, 110,496; Weld, 171,582; Yuma, 123,431; Reserve, 11,074.

Delaware. Kent, 33,650; New Castle, 28,130; Sussex, 12,253.

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West Virginia. Barbour, 2,181; Berkeley, 11,652; Boone, 105; Braxton, 3,021; Brooke, 499; Cabell, 1,251; Calhoun, 1,210; Clay, 521; Doddridge, 561; Fayette, 870; Gilmer, 952; Grant, 2,974; Greenbrier, 6,949; Hampshire, 4,074; Hancock, 586; Hardy, 4,476; Harrison, 1,463; Jackson, 3,518; Jefferson, 18,890; Kanawha, 822; Lewis, 1,210; Lincoln, 1,405; Logan, 56; Marion, 1,262; Marshall, 3,357; Mason, 5,417; Mercer, 3,638; Mineral, 1,602; Monongalia, 1,179; Monroe, 6,988; Morgan, 2,869; Nicholas, 1,848; Ohio, 1,062; Pendleton, 4,275; Pleasants, 447; Pocahontas, 1,704; Preston, 3,871; Putnam, 2,475; Raleigh, 534; Randolph, 1,175; Ritchie, 1,178; Roane, 2,752; Summers, 3,231; Taylor, 391; Tucker, 310; Tyler, 919; Upshur, 1,454; Wayne, 794; Webster, 238; Wetzell, 2,344; Wirt, 772; Wood, 2,471; Wyoming, 84.

Wisconsin. Adams, 212; Ashland, 225; Barron, 1,721; Bayfield, 959; Brown, 1,419; Buffalo, 1,869; Burnett, 1,071; Calumet, 2,414; Chippewa, 701; Clark, 336; Columbia, 2,092; Crawford, 862; Dane, 2,833; Dodge, 2,821; Door, 4,010; Douglas, 530; Dunn, 2,853; Eau Claire, 1,592; Florence, 45; Fond du Lac, 1,719; Forest, 122; Grant, 1,251; Green, 432; Green Lake, 1,358; Iowa, 726; Iron, 63; Jackson, 1,703; Jefferson, 2,439; Juneau, 517; Kenosha, 1,355; Kewaunee, 2,599; La Crosse, 741; Lafayette, 422; Langlade, 89; Lincoln, 78; Manitowoc, 1,799; Marathon, 1,186; Mari-

nette, 1,142; Marquette, 385; Milwaukee, 467; Monroe, 1,025; Oconto, 1,487; Oneida, 43; Outagamie, 813; Osaukee, 898; Pepin, 1,415; Pierce, 6,504; Polk, 4,153; Portage, 732; Price, 58; Racine, 1,398; Richland, 868; Rock, 2,960; Rusk, 234; St. Croix, 5,046; Sauk, 3,543; Sawyer, 79; Shawano, 2,040; Sheboygan, 1,754; Taylor, 137; Trempealeau, 3,997; Vernon, 1,248; Vilas, 55; Walworth, 1,479; Washburn, 151; Washington, 2,437; Waukesha, 1,539; Waupaca, 935; Waushara, 680; Winnebago, 1,602; Wood, 166; Reserve, 494.

Wyoming. Albany, 781; Big Horn, 5,001; Campbell, 40,661; Carbon, 1,735; Converse, 13,538; Crook, 29,088; Fremont, 6,902; Goshen, 71,405; Hot Springs, 1,421; Johnson, 7,281; Laramie, 55,954; Lincoln, 3,097; Natrona, 270; Niobrara, 12,388; Park, 5,278; Platte, 29,134; Sheridan, 28,920; Sublette, 55; Sweetwater, 395; Teton, 548; Uinta, 1,132; Washakie, 642; Weston, 18,437; Reserve, 3,374.

Done at Washington, D. C., this 27th day of July 1940. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 40-3129; Filed, July 29, 1940; 11:10 a. m.]

TITLE 26—INTERNAL REVENUE

CHAPTER I—BUREAU OF INTERNAL REVENUE

[T. D. 4993]

SUBCHAPTER C—MISCELLANEOUS EXCISE TAXES

PART 181—STILLS AND DISTILLING APPARATUS

Registration of Petroleum Stills and Distilling Apparatus Not Required

The Act of July 2, 1940 (Public—No. 705, 76th Congress), provides as follows:

That section 2810 (a), Internal Revenue Code, is amended by adding an additional paragraph at the end thereof to read as follows:

"Stills and distilling apparatus set up at refineries for the refining of crude petroleum or the production of petroleum products and not used in the manufacture of distilled spirits are not required to be registered under this section."

Pursuant to the foregoing provision of law, § 181.15 (d) of Regulations 23 (Part 181, Title 26, Code of Federal Regulations) is amended to read as follows:

(d) *Registration not required in certain cases.* The registration of stills and distilling apparatus is not required when set up for use by the United States or any Governmental agency thereof, other than for distilling as defined by section 181.12, or when set up at refineries for the refining of crude petroleum or the production of petroleum

products and not used in the manufacture of distilled spirits.

[SEAL] TIMOTHY C. MOONEY,
Acting Commissioner.

Approved, July 25, 1940.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 40-3144; Filed, July 29, 1940; 3:22 p. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bureau of Reclamation.

WASHOE LAKE RESERVOIR SITE, NEVADA

FIRST FORM RECLAMATION WITHDRAWAL

JUNE 1, 1940.

THE SECRETARY OF THE INTERIOR.

SIR: In accordance with the authority vested in you by the Act of June 28, 1934 (48 Stat. 1269), as amended, it is recommended that departmental order of November 3, 1936, establishing Grazing District No. 3, Nevada, be revoked in so far as the following described lands are affected, and the said lands be withdrawn from public entry under the first form withdrawal as provided in section 3, Act of June 17, 1902 (32 Stat. 388).

MOUNT DIABLO MERIDIAN, NEVADA

Washoe Lake Reservoir Site

T. 16 N., R. 19 E., M. D. M., Nevada,
Sec. 24 NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 26 NE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 27 E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ and SE $\frac{1}{4}$;
Sec. 28 NW $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 34 E $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 35 SW $\frac{1}{4}$;
Sec. 36 NE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
T. 17 N., R. 19 E., M. D. M., Nevada,
Sec. 14 All;
Sec. 22 W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, and S $\frac{1}{2}$;
Sec. 25 E $\frac{1}{2}$ NE $\frac{1}{4}$;
Sec. 27 SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 34 W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, and NW $\frac{1}{4}$ NW $\frac{1}{4}$;
T. 15 N., R. 20 E., M. D. M., Nevada;
Sec. 2 W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and N $\frac{1}{2}$ S $\frac{1}{2}$;
Sec. 11 SE $\frac{1}{4}$;
Sec. 13 NW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 14 NW $\frac{1}{4}$ NE $\frac{1}{4}$ and E $\frac{1}{2}$ E $\frac{1}{2}$;
T. 16 N., R. 20 E., M. D. M., Nevada,
Sec. 4 E $\frac{1}{2}$ and SW $\frac{1}{4}$;
Sec. 16 NE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 20 E $\frac{1}{2}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 25 SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ and W $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 26 All;
Sec. 27 S $\frac{1}{2}$;
Sec. 28 N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 29 S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 30 NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, and S $\frac{1}{2}$;
Sec. 31 E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and N $\frac{1}{2}$ S $\frac{1}{2}$;
Sec. 32 N $\frac{1}{2}$ and N $\frac{1}{2}$ S $\frac{1}{2}$;
Sec. 33 E $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, and NE $\frac{1}{4}$ SE $\frac{1}{4}$;

Sec. 34 All;
 Sec. 35 All;
 Sec. 36 N $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, and S $\frac{1}{2}$ SE $\frac{1}{4}$;
 T. 17 N., R. 20 E., M. D. M., Nevada,
 Sec. 17 NE $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 18 SE $\frac{1}{4}$ NE $\frac{1}{4}$ and S $\frac{1}{2}$;
 Sec. 19 SE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$,
 NE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, and
 SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 20 N $\frac{1}{2}$;
 Sec. 28 All;
 Sec. 30 E $\frac{1}{2}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, and NE $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 32 E $\frac{1}{2}$ E $\frac{1}{2}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, and
 SW $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 33 SW $\frac{1}{4}$ SW $\frac{1}{4}$;
 T. 15 N., R. 21 E., M. D. M., Nevada,
 Sec. 2 All;
 Sec. 3 All;
 Sec. 4 S $\frac{1}{2}$;
 Sec. 5 SE $\frac{1}{4}$;
 Sec. 6 N $\frac{1}{2}$, SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 7 N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ and SE $\frac{1}{4}$;
 Sec. 8 E $\frac{1}{2}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, and SW $\frac{1}{4}$;
 Sec. 9 All;
 Sec. 10 All;
 Sec. 11 All;
 Sec. 14 All;
 Sec. 15 All;
 Sec. 16 All;
 Sec. 17 All;
 Sec. 18 E $\frac{1}{2}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$;
 T. 16 N., R. 21 E., M. D. M., Nevada,
 Sec. 27 SW $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 28 Lots 2, 3, 4, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$,
 W $\frac{1}{2}$ NW $\frac{1}{4}$ and S $\frac{1}{2}$;
 Sec. 29 E $\frac{1}{2}$ E $\frac{1}{2}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, and
 NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 30 NW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$
 NW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$,
 E $\frac{1}{2}$ E $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 31 E $\frac{1}{2}$ E $\frac{1}{2}$ NE $\frac{1}{4}$, and S $\frac{1}{2}$;
 Sec. 32 E $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$,
 and S $\frac{1}{2}$;
 Sec. 33 NW $\frac{1}{4}$.

Respectfully,

H. W. BASHORE,
Acting Commissioner.

I concur, June 18, 1940.

R. H. RUTLEDGE,
Director, Grazing Service.

I concur, July 13, 1940.

JOEL DAVID WOLFSOHN,
*Acting Assistant Commissioner,
 General Land Office.*

The foregoing recommendation is hereby approved and the Commissioner of the General Land Office will cause the records of his office and the local land office to be noted accordingly.

W. C. MENDENHALL,
Acting Under Secretary.

JULY 18, 1940.

[F. R. Doc. 40-3146; Filed, July 30, 1940;
 9:35 a. m.]

DEPARTMENT OF COMMERCE.

Civil Aeronautics Board.

[Docket No. 16-406 (A)-1]

IN THE MATTER OF THE PETITION OF UNITED AIR LINES TRANSPORT CORP. FOR AN ORDER FIXING AND DETERMINING THE FAIR AND REASONABLE RATES OF COMPENSATION FOR THE TRANSPORTATION OF MAIL BY AIRCRAFT, THE FACILITIES USED AND USEFUL THEREFOR, AND THE SERVICES CONNECTED THEREWITH, OVER ROUTE NOS. 1, 11, 12, AND 17 PURSUANT TO SECTION 406 OF THE CIVIL AERONAUTICS ACT OF 1938

NOTICE OF FURTHER HEARING AND ARGUMENT

The above-entitled proceeding is hereby assigned for further hearing and argument before the Board on July 31, 1940, 10 o'clock a. m. (Eastern Standard Time) in Room 5044, Department of Commerce Building, Washington, D. C. Dated Washington, D. C., July 26, 1940.

By the Board.

[SEAL] THOMAS G. EARLY,
Acting Secretary.

[F. R. Doc. 40-3145; Filed, July 30, 1940;
 9:35 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 1-381]

IN THE MATTER OF THE APPLICATION OF THE NEW YORK STOCK EXCHANGE TO STRIKE FROM LISTING AND REGISTRATION THE COMMON STOCK, NO PAR VALUE, OF ULEN & COMPANY

ORDER GRANTING APPLICATION FOR WITHDRAWAL FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 29th day of July, A. D. 1940.

The New York Stock Exchange having applied to the Commission, pursuant to section 12 (d) of the Securities Exchange Act of 1934, for permission to strike from listing and registration the common stock, no par value, of Ulen & Company;

A hearing¹ having been held on said application, the trial examiner having

filed his advisory report, the Commission having considered the record and having this day filed its findings and opinion herein, and having due regard for the public interest and the protection of investors;

It is ordered, That the said application be and the same is hereby granted, effective at the close of business on August 8, 1940.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 40-3148; Filed, July 30, 1940;
 11:25 a. m.]

[File No. 1-454]

IN THE MATTER OF THE APPLICATION OF THE NEW YORK STOCK EXCHANGE TO STRIKE FROM LISTING AND REGISTRATION THE COMMON STOCK, NO PAR VALUE, OF EITINGON SCHILD CO., INC.

ORDER GRANTING APPLICATION FOR WITHDRAWAL FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 29th day of July, A. D. 1940.

The New York Stock Exchange having applied to the Commission, pursuant to section 12 (d) of the Securities Exchange Act of 1934, for permission to strike from listing and registration the common stock, no par value, of Eitingon Schild Co., Inc.;

A hearing¹ having been held on said application, the trial examiner having filed his advisory report, the Commission having considered the record and having this day filed its findings and opinion herein, and having due regard for the public interest and the protection of investors;

It is ordered, That the said application be and the same hereby is granted, effective at the close of business on August 8, 1940.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 40-3147; Filed, July 30, 1940;
 11:25 a. m.]

¹ 5 F.R. 1589.

¹ 5 F.R. 1648.